

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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JOEL GONZALEZ,

Plaintiff,

- against -

ORDER ADOPTING
REPORT AND RECOMMENDATION
14-CV-6749 (RRM) (LB)

RIKERS ISLAND WARDEN,
CAPTAIN DESMOND BLAKE, No. 1604,
C.O. ANTHONY SPIOTTA, No. 17495,
C.O. DAMIEN CHEATAM, No. 18123,
CAPTAIN NORMAN WILLIAMS, No. 127,
C.O. MYRA WILLIAMS, No. 9476,
C.O. ELIAS AMANATEDES, No. 14894,
C.O. RUPERT FULLERTON, No. 4277,
MEDICAL STAFF,

Defendants.

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ROSLYNN R. MAUSKOPF, United States District Judge.

By Motion filed January 4, 2016, Joel Gonzalez moved to file a third amended complaint. (Mot. for Leave to File Third Am. Compl. (Doc. No. 41).) On August 24, 2016, the Honorable Magistrate Judge Lois Bloom issued a Report and Recommendation (the “R&R”) recommending that Gonzalez’s motion to amend be denied as futile. (R&R (Doc. No. 52).) Judge Bloom reminded the parties that, pursuant to Federal Rule of Civil Procedure (“Rule”) 72(b), any objection to the R&R must be filed by September 12, 2016. Gonzalez requested an extension to file a response and objection to the R&R that was received by the Court on September 7, 2016. (Letter Request (Doc. No. 53).) The Court granted the request in part and informed Gonzalez that any response or objection to the R&R must be received by the Court by September 20, 2016. (9/8/16 Order.) This Order was sent to Gonzalez by overnight mail. (*Id.*) No party has filed any objection.

Pursuant to 28 U.S.C. § 636(b) and Rule 72, the Court has reviewed the R&R for clear error and, finding none, concurs with the R&R in its entirety. *See Covey v. Simonton*, 481 F. Supp. 2d 224, 226 (E.D.N.Y. 2007).

Accordingly, it is hereby ORDERED that Gonzalez's motion to amend his complaint is denied as futile.

The Clerk of Court is respectfully directed to send a copy of this Order to Gonzalez.

SO ORDERED.

Roslynn R. Mauskopf

Dated: Brooklyn, New York
September 23, 2016

ROSLYNN R. MAUSKOPF
United States District Judge